

*Office of the Clerk
United States District Court
103 Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, Ohio 45202
513/564-7520*

January 11, 2006

Scott D. Phillips, Esq.
Douglas R. Dennis, Esq.

RE: 1:02-cv-439, Kroger Co. v Malease Foods

As you are aware, the appeal in the above captioned was voluntarily dismissed on September 15, 2005. Therefore, should you choose to retrieve any trial exhibits filed on behalf of your client, please do so by January 20, 2006. **Please call me to make arrangements.** Any depositions or trial exhibits not retrieved by this date will be discarded.

Sincerely,

s/Mary Brown
Mary Brown
Case Manager to Judge Beckwith

cc: File